

JUDGE BAER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

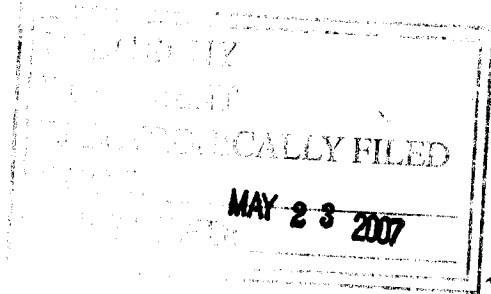
-v.-

KI YUNG YEUNG,
a/k/a "Eileen Young,"
FRANCES ENG,
BONNIE CHAO,
DEREK MUI,

Defendants.
-----X

07 CRIM. 461
INDICTMENT

07 Cr.



COUNT ONE

The Grand Jury charges:

1. From at least in or about 1998, through and including in or about April 2003, in the Southern District of New York and elsewhere, KI YUNG YEUNG, a/k/a "Eileen Young," FRANCES ENG, BONNIE CHAO, and DEREK MUI, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 1344 of Title 18, United States Code.

2. It was a part and object of the conspiracy that KI YUNG YEUNG, a/k/a "Eileen Young," FRANCES ENG, BONNIE CHAO and DEREK MUI, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial

institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about November 1998, KI YUNG YEUNG, the defendant, applied in Manhattan, New York for a \$100,000 line of credit in order to provide access to funds used to conceal unauthorized withdrawals from Abacus customer accounts;

b. In or about March 2003, FRANCES ENG, the defendant, provided Lim in Manhattan, New York with two checks that ENG completed, signed, and endorsed for deposit into a victim account at Abacus Bank;

c. In or about January 2003, BONNIE CHAO, the defendant, completed a deposit ticket in Manhattan, New York, in the name of an Abacus customer without the customer's authorization, in the amount of \$280,302.50, reflecting a deposit

into the customer's account;

d. In or about April 2002, DEREK MUI, the defendant, created a false statement for a victim account at Abacus Bank in Manhattan, New York, in order to disguise the theft of funds from the account.

(Title 18, United States Code, Section 1349.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the offense alleged in Counts One of this Indictment, KI YUNG YEUNG, a/k/a "Eileen Young," FRANCES ENG, BONNIE CHAO, and DEREK MUI, the defendants, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the bank fraud conspiracy offense.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and
Title 18, United States Code, Section 1349.)


Foreperson


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
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Defendants.

INDICTMENT

07 Cr.

(18 U.S.C. § 1349)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

5/23/07 Indictment filed. Assigned to Judge Baer.

Fox, J.